HIGH COURT OF CHHATTISGARH: BILASPUR

Writ Petition (s) No. 6003 of 2006

Petitioner

R.P. Verma, aged about 55 years, S/o. Late Shri Durga Prasad Verma, Co-operative Inspector (Under Suspension) posted at DPCS, Korba, R/o. Fazal Bada, Juna, Bilaspur, Near Laxmi Talkies.

Versus

Respondents

1) State of Chhattisgarh, through Secretary, Department of Cooperatives, Mantralaya, D.K.S. Bhawan, Raipur, CG.

2) Registrar Co-operative Society, Government of Chhattisgarh, Raipur (CG), Ring Road, Old R.T.O. Office, and near the Police Station: Telibandha, Raipur, CG.

3) Joint Registrar, Cooperative Societies, Composite Building, Bilaspur, CG.

4) Deputy Registrar, Cooperative Societies, Collectorate Building Kosha Badi, Korba, CG.

(Writ petition under Article 226/227 of the Constitution of India)

SB: Hon'ble Shri Justice Satish K. Agnihotri

Present:

Shri D. Shashidharan, counsel for the petitioner.
Shri V.V.S. Murthy, Dy. Advocate General for the State.

ORAL ORDER
(Passed on 7th May, 2007)

I.A.No.1

This is an application for taking documents on record.

The application is ordered as prayed for.

By this petition, the petitioner has challenged the legality and validity of the order dated 21-2-2006 (Annexure P/3), whereunder the petitioner was placed under suspension in view of the proposed departmental enquiry against him. He further seeks a direction to quash the charge-sheet dated 30-3-2006.

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2. Learned counsel appearing for the petitioner submits that enquiry has already been completed and the suspension of the petitioner has been revoked by order dated 30-4-2007 (Annexure A/1) stating specifically that with regard to the payment of suspension period, the order would be passed at the time of decision on the departmental enquiry.

3) In view of the above stated facts, the challenge to the suspension order dated 21-2-2006 (Annexure P/3) has become infructuous and also challenge to the charge-sheet dated 30-3-2006 has also become infructuous as the enquiry pursuant to the charge-sheet has been concluded. Learned counsel appearing for the respondents-authorities also submits accordingly.

4) In view of the above stated developments, nothing survives in the mater and this petition has become infructuous. Accordingly, this petition is dismissed as having become infructuous. However, liberty is reserved to the petitioner to file appropriate petition, if so advised, in the event of new cause of action arises.

Sd/-
Satish K. Agnihotri
Judge

Raju